Senator Charles Mathias
U.S.Senate
Wash., D.C. 20510

Rt. 12, Frederick, Md. 21701
10/1/77

Dear Mac,

Thanks you very much for the reflection of doing more than I asked of you in your letter of 9/26. I believe that had you not taken the initiative with the FBI they'd still be stonewalling on the balance, or more likely what they represent as the balance of their records on me. In the same mail was the letter signed by Kelley telling me that an additional 620 pages are available. In actuality those had been processed months ago. I knew of it then.

You may not recall it but years ago when you first manifested (at least in public) a deep concern for or over authoritarianism I wrote you offering my opinion that it is perhaps our greatest concern, the greatest threat to traditional American beliefs and rights and freedoms. What I have received under FA, only a minor fraction of the relevant records, greatly magnifies my apprehensions about this. What I have told you is only part of what is obvious in these records. I do not believe I have gone into the methodology that is apparent, going back to before Joe McCarthy and in part because it is unrecognized is perhaps even more sinister than the evil he personified.

Simplifications are dangerous but one I ask you to consider seriously is my belief that the entire decision-making process of government has been pre-empted by a self-perpetuating bureaucracy of the dedicated and wrong-headed. I wish there were time for us to spend an evening discussing this because you were among the first to perceive the danger and because with all your other duties and obligations you have made an effort to pursue it and bring necessary information to light.

I am satisfied that a future study of the truly enormous volume of records relating to the King assassination that I am receiving from the FBI in C.A.75-1996 will disclose, as one of many case studies, how this extends to not only the system of justice but to the manipulation and I think it is not extreme to say control of even the government's lawyers by the FBI.

After all the exposures, none of which was full, simple honesty remains beyond these people. They lie to me with regularity. I am nobody but they do it to judges, even when they negotiate stipulations. They not only rewrite the meaning of the stipulations to violate them- they violate them literally, knowing there is impunity.

How the media is manipulated is now also abundantly clear in the records I have obtained. The reflections of how this is done with the Congress are fewer but present.

In time this will be the lot of the necessary intelligence-oversight committee of which you are part. I suspect it has begun.

One of the means is by the creation of poisonous records about all of those who can provide contradictory information. I am an example of this. Thus I will take no initiative with the FOIA subcommittee, although I do thank you for informing me of its current work and would much appreciate copies of their hearings and report when they are available. If I take an initiative with them I run the risk of leading them into what can embarrass them. Yet I was able to detect the beginning of the executive-agency campaign to negate the 1974 amendments before they became effective and to document this on their becoming effective. These spooks have so much power they do not need to be subtle. My lawyer and now my lawyers can tell you that I predict the acts beforehand. FOIA represents a real danger to those of authoritarian persuasion and dedication, those with pasts to hide. This is but one of the reasons I regard it as one of the finest and most important acts by the Congress in years - it is a means by which any person can make a real effort to preserve representative society.

I do have a suggestion, however, if you would care to pass it along, one that I believe is "safe" and avoids what one who has to stand for re-election might regard as a danger or taint from these venomous files on me. (I will respond to them fully when I have received what is represented as all of them.) Congress has the GAO. If the GAO examines the records in my FOIA cases and computes just the total waste of time and money it will be, I am confident, an impressive example of extraordinary waste and of deliberate and political misuse of the Act in an effort to persuade the Congress to modify it as I think it should not be modified. This also avoid for those who may be uneasy about the subject matter any need to consider the subject matter, although I would surrender my rights to that material for any serious and thorough Congressional examination of it, something I do not expect.

All of this and much more were on my mind when I returned from an appearance at a small college in a conservative area of Wisconsin. What distinguishes my work from that of others who have attracted more attention is that mine focuses on the functioning and malfunctioning of the institutions of society, not on a whodunit, and is designed to provide a means of understanding of this if not of what I seek, rectification. People see this clearly, whatever their political beliefs. People are concerned about it regardless of their political beliefs. With what I show my audiences - and it is no longer just what I tell them - it is no easy thing for me to respond without adding to pessimism even though I attempt to encourage hope and do urge effort regardless of odds. The best I can hope to do and what I try to do is lead the young people to understand that if perfection is not a human state and our representative society fails to work as in theory it should it remains the best system of self-government yet devised so it is worth the effort to try to make it work better than it does if we fall short of making it perform as in theory it should.

Thanks for asking and wishing well about my health. I'm tired today from a rough flight and a 20-hour day yesterday.

In the current news there is another illustration of how these dishonest personal dossiers and continuing official blindness to their meaning, although they are of the past, have significance in the present and can have importance in the future. I am not asking you about what files on me the FBI gave your committee because you could regard this as information you cannot let me have. However, I can cite to you what they have given me and how it can be used in the current indictment of J.S. Stoner, plus in the business of the Alabama bombings.

In 1969, when I read of a Justice indictment of some soldiers of fortune, I phoned the Criminal Division and offered it access to files and interviews on tape that seemed to be relevant. I suggested that the resident FBI agent could go over them and take what he wanted. Instead Criminal asked me to go to Internal Security, which I did, accompanied by Lil. In the course of the conversation I told that lawyer what Stoner had just told me, that those he had learned were FBI informers tried to entrap him into acts of violence. In those days I still believed that the government might care about what its informers did. You may recall there then had not been exposure on their acts.

This appears in the FBI records as me combining with Stoner to defame the FBI. I was aghast when I saw this. I went to my files, withdrew relevant contemporaneous records, including what had been sent to me after that visit by ISD, and sent it to the FBI. This was month ago. I await even acknowledgement of receipt. You are a lawyer and can evaluate the possible consequences of this if Stoner subpoenaes me and asks me to testify to this. I will have to say and prove that the FBI deliberately fabricated records that could not be more diametrically opposed the truth - and as it relates to Stoner, too. So even if Stoner is guilty, a matter of which I have no knowledge, this kind of crookedness may lead to his acquittal.

This added illustration of the corruption in those FBI files is, I think, quite relevant to what I believe is the infidelity of what was written to you over the signature of Clarence Kelley:

"In response to my inquiry on your behalf, the ~~Director~~ Director of the Federal Bureau of Investigation has advised me that no other determination can be made in the documents either released or withheld, prior to an administrative appeal" under FOIA/PA.

This is totally false. It also represents one of the built-in means of non-compliance and of waste that will in time be wept upon the Congress.

First of all an honest administrator, given proof of the fabrication of records, would want to make an inquiry into that. This is something he can do without an administrative appeal. Secondly, I gave him proof of the existence of records not provided and for which no right to withhold was claimed. This also requires no appeal. Rather than go on and on, as is possible, I cite one more proof of falsehood: the unsearched files can be searched. In time I will specify those unsearched files, but because the record persuades the appeal also will be essentially meaningless I will reserve the specification of unsearched files for federal district court if I have to go there. This has the advantage of making a record the FBI cannot suppress in perpetuity and it gives some judge an opportunity to decide to take no more of this endless abuse of the Act and the judges.

If one judge ever does - if one of these people is ever punished - there may be a difference, a change.

Again thanks for the effort. Our best to you all.

Sincerely,

Harold Weisberg